

IN THE DRAWINGS:

Replace Fig. 1 with Fig. 1 as shown on the replacement sheet attached hereto.

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REMARKS

The Office action of June 15, 2006, has been carefully considered.

The Office action states that Figure 1 should be designated by a legend such as "Prior Art," and this has now been done.

Objection has been raised to the drawings on the basis that the subject matter of Claims 14 and 15 is not shown. The dome shaped seating points of claim 14 are shown in Fig. 5 by reference numerals 86, 88, and described on page 9, lines 15-16. Claim 15 has been canceled without prejudice as no drawing showing this feature is currently available; this claim may be reinstated if a drawing becomes available.

Objection has been raised to the terms "preferably" and "such as" in the claims, and the claims have now been amended to delete this terminology, with the addition of new Claims 17 through 20 directed to embodiments deleted from previous claims.

Claim 6, 8 and 13 through 16 have been rejected under 35 USC 112, second paragraph, as being indefinite in lack of antecedent basis and in use of unclear terminology in Claims 13 through 16. The claims have now been extensively amended to add antecedent basis for all terminology and to clarify Claims 13 and 16, and withdrawal of this rejection is requested.

Claims 1 through 4, 7, 11 and 16 have been rejected under 35 USC 102(b) over Japan 5-146003.

It is noted that Claim 1 has been amended to clarify that the collector shoe is constructed and arranged for contact with a third rail below the collector shoe. This is an important point, because the art cited in the Office action does not relate to a current collector for a third rail.

For example, Japan '003 discloses a current collector for

a trolley wire comprising a brush holder 18 that is underneath the wire conductor T. Brush holder 18 with the carbon brush is pressed against the wire conductor T, brush holder 18 including a bolt 17 engaging a clevis carrier. No predetermined breaking point is disclosed between the carrier and the pin 17, and Applicant submits that a predetermined breaking point would not be appropriate because of the danger that if this breaking point were exceeded, the brush holder would fall, potentially hurting a person below the brush holder.

Moreover, predetermined breaking points are not required with corresponding contacts since when moving the carbon brush 19 along the conductor T, no obstacles will occur that may lead to a force transmission in the brush holder, and which may cause mechanical deformation of the collector which would become useless. To the contrary, when a collector is used with a third rail, there is a danger that obstacles on the rail will induce forces on the current collector which can lead to damage of the current collector. To avoid such damage, the invention provides that the mounting is connected with a leg of a current collector via a connection having a predetermined breaking point, and this is not disclosed or suggested in the cited art.

Withdrawal of this rejection is requested.

Claims 1, 6 and 8 through 10 have been rejected under 35 USC 102(b) over Kilkenny.

Kilkenny also does not disclose a current collector for a third rail, but rather to a current collector for a train or trolley in which a carbon brush is pressed against a contact wire extending above the carbon brush or an electrified rail. Hence, no obstacles can occur in the path of the carbon brushes that would lead to force transmission on the brushes and hence on the brush carrier, and that may result in a

destruction of the current collector. Therefore, the construction disclosed by Kilkenny is similar to the one described in the JP '033 reference.

The collector 32 of Kilkenny has a collector shoe 12 which is received by a clevis 106, which in turn is connected to a shaft 34 by a swivel connector 108 (see column 6, line 19). This construction allows the clevis 106 to be rotatable around the longitudinal axis of the hollow shaft 34. In order to prevent the swivel collector from sliding out of the hollow shaft, a pin 110 is provided, as shown in Figure 6. Any predetermined breaking point by which the collector 12 is connected to the clevis 106 is not disclosed by Kilkenny.

Withdrawal of this rejection is accordingly requested.

Claim 15 has been rejected under 35 USC 103(a) over Kilkenny in view of Case which has been cited to show a pneumatic cylinder provided to operate current collector arms. Case does not, however, cure the defects of Kilkenny, and Claim 15 has in any event been canceled for the time being. Withdrawal of this rejection is requested.

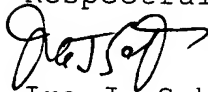
Claim 5 has been rejected under 35 USC 103(a) over Kilkenny in view of Clarke, which has been cited to provide a more specific teaching of mounting a collector shoe 12 in a mounting body 30 in a conductive fashion, including bolts 50. Clarke does not, however, cure the defects of Kilkenny, and withdrawal of this rejection is requested.

The allowability of Claims 12 and 14 over the art has been noted.

In view of the foregoing amendments and remarks, Applicants submit that the present application is now in condition for allowance. An early allowance of the application with amended claims is earnestly solicited.

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Respectfully submitted,



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